

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER COOPER	:	CIVIL ACTION
	:	
Plaintiff,	:	
v.	:	
	:	
CITY OF CHESTER	:	NO. 11-5381
POLICE OFFICER STEVEN T. BYRNE	:	
POLICE OFFICER PATRICK MULLEN	:	
POLICE CHIEF DARREN ALSTON	:	
	:	
Defendants.	:	

ORDER RE PARTIAL DISMISSAL

AND NOW, on this 5th day of December, 2011, upon careful consideration of Defendants' Partial Motion to Dismiss (ECF No. 9), and the parties' briefing, and for the reasons in the accompanying Memorandum on Partial Motion to Dismiss, it is hereby ORDERED that Defendants' Motion is DENIED in part and GRANTED in part. Specifically, Defendants' motion is DENIED as to Plaintiff's false light and defamation claims. Defendants' motion is also DENIED as to Plaintiff's Fourteenth Amendment claim, as moot. Defendants' motion is GRANTED as to the following claims:

1. Plaintiff's section 1983 state-created danger claim is DISMISSED, without prejudice;
2. Plaintiff's conspiracy claims are DISMISSED, without prejudice;
3. Plaintiff's access-to-the-courts claims are DISMISSED, with prejudice; and
4. all claims against Defendant Police Chief Alston are DISMISSED, with prejudice.

Plaintiff is granted twenty-one (21) days of the date of this Order to amend his Complaint.

BY THE COURT:

s/Michael M. Baylson

Michael M. Baylson, U.S.D.J.

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